IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicant:

D.A. Farias et al.

Examiner:

Gerald J. O'Connor

Serial No.:

09/712,584

Group Art Unit:

3627

Filed:

November 14, 2000 Docket No.: SJO919990173

TITLE:

REPLENISHMENT MANAGEMENT SYSTEM AND METHOD

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on January

vid W. Victor

AMENDMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

This Amendment is submitted in response to the non-final Office Action dated October 8, 2002. The Examiner rejected certain claims as directed toward non-statutory subject matter under 35 U.S.C. §101 and other claims as lacking proper antecedent basis under 35 U.S.C. §112, par. 2. Applicants have amended certain claims to overcome the 35 U.S.C. §§101 and 112 rejections and request withdrawal of these rejections for the reasons discussed herein. The Examiner further rejected all the pending claims 1-65 as either anticipated (35 U.S.C. §102) or obvious (35 U.S.C. §103) over prior art. Applicants submit that the prior art rejections are improper for the reasons discussed herein. If the Examiner maintains his prior art rejections, Applicants request that the Examiner issue a new non-final Office Action specifically showing which sections of the lengthy prior art reference disclose, teach and suggest specific limitations of the claims so that the Applicants may properly ascertain the grounds of rejection and respond thereto.

FORM PTO-1083

PATENT SJO919990173 0037.0009

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Respectfully subm	nitted,									
315 S. Beverly Dr. Beverly Hills, CA 9	S VICTOR & MANN, LLP ive, Suite 210 90212	Dated: J	anuary 8, 2003		7					
(310) 556-7983 (v (310) 556-7984 (fa			hereby certify that	this corres	pondence	is being d	eposited	with the Ur	ited States	s

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Date.

David W. Victor

1/8/03

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	AFTER AMENDMENT	PAID FOR	EXTRA	RATE	FEE	OR	RATE	FEE		
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Please charge Deposit Account No. 50-0585 the amount of \$ to cover the extension fee and also the amount of \$ to cover the claim fee. A duplicate copy of this sheet is enclosed. A check in the amount of \$ to cover the extension fee is enclosed. A check in the amount of \$ to cover the filing fee is enclosed. A check in the amount of \$ to cover the petition fee is enclosed. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0585. A duplicate of this sheet is enclosed. Any filing fees under 37 CFR 1.16 for the presentation of extra claims. Any patent application processing fees under 37 CFR 1.17.										